

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

EUGENIA PAZ ESCOBEDO

CASE NO: 10-70149-HDH-13

HEARING DATE: 12/15/2010

HEARING TIME: 10:00am

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

| Trustee Clm# | Creditor Name                    | Scheduled Amount | Trustee Clm# | Creditor Name                       | Scheduled Amount |
|--------------|----------------------------------|------------------|--------------|-------------------------------------|------------------|
| 008 0 U      | AES                              | \$6,336.00       | 009 0 U      | ALLIED INTERSTATE                   | \$814.00         |
| 015 0 U      | COLLECTION                       | \$103.00         | 016 0 U      | CREDIT MANAGEMENT/TIME WARNER CABLE | \$190.00         |
| 018 0 U      | FAIR COLLECTIONS AND OUTSOURCING | \$2,318.00       | 021 0 U      | UNIQUE NATIONAL COLLECT             | \$40.00          |

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

| Trustee Claim #                 | Creditor                             | Collateral / Description                               | Claim Amount | Value        | %      | Term | Paid / Treated           |
|---------------------------------|--------------------------------------|--|--------------|--------------|--------|------|--------------------------|
| <b><u>SECURED CREDITORS</u></b> |                                      |  |              |              |        |      |                          |
| 014 0                           | WICHITA COUNTY                       | 2008, 10 PROPERTY TAXES/1629 HAWES - SUNNYSIDE HEIGHTS | \$1,922.85   | \$1,922.85   | 12.00% | 60   | \$47.02 PAID BY TRUSTEE  |
| 019 0                           | FIRST BANK                           | 2002 YUKON   | \$1,755.78   | \$2,000.00   | 9.00%  | 60   | \$39.03 PAID BY TRUSTEE  |
| 020 0                           | FIRST NATIONAL BANK OF WICHITA FALLS | 2007 TOYOTA COROLLA                                    | \$11,411.95  | \$11,600.00  | 9.00%  | 60   | \$255.76 PAID BY TRUSTEE |
| 022 0                           | WELLS FARGO OPERATION CENTER         | MORTGAGE/1629 HAWES                                    | \$29,445.28  | \$31,145.84  |        |      | PD DIRECT BY DEBTOR      |
| 023 0 *                         | WELLS FARGO HOME MORTGAGE            | MORTGAGE ARREARS/5431 FLO                              | \$8,967.51   | \$131,426.00 | 9.00%  | 60   | \$207.66 PAID BY TRUSTEE |
| 025 0                           | WELLS FARGO HOME MORTGAGE            | MORTGAGE/5431 FLO                                      | \$91,726.69  | \$124,926.00 |        |      | PD DIRECT BY DEBTOR      |
| 026 0                           | WICHITA COUNTY                       | 2008, 10 PROPERTY TAXES/1230 32ND ST - HILLCREST       | \$1,046.39   | \$13,900.00  | 12.00% | 60   | \$25.61 PAID BY TRUSTEE  |
| 027 0                           | WICHITA COUNTY                       | 2010 PROPERTY TAXES/5431 FLO - HIGHPOINT VILLAGE       | \$2,826.00   | \$3,009.66   |        |      | PD DIRECT BY DEBTOR      |
| 039 0                           | WELLS FARGO OPERATION CENTER         | POST PETITION ARREARS FOR 6/10 THRU 7/10               | \$1,081.00   | \$1,081.00   | 9.00%  | 60   | \$23.71 PAID BY TRUSTEE  |

| Trustee Clm# | Creditor Name   | Claim Amount | Trustee Clm# | Creditor Name                                       | Claim Amount |
|--------------|---|--------------|--------------|---|--------------|
| 013 0 U      | CITIFINANCIAL INC<br>LOAN   | \$5,401.09   | 034 0 U * TG | STUDENT LOAN<br>Not provided for in confirmed plan. | \$1,947.25   |
| 041 0 U *    | SALLIE MAE INC<br>STUDENT LOAN<br>Not provided for in confirmed plan. | \$4,301.29   |              |   |              |

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely reponse or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

#### IV.

#### **TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

Beginning 5/6/2010 debtor shall make 8 payments of \$833.00. Beginning 1/6/2011 debtor shall make 52 payment of \$835.00; for a total plan contribution of \$50,084.00.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 12/15/2010 AT 10:00am CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 208, 10TH & LAMAR STREETS, WICHITA FALLS, TEXAS 76301

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 11/5/2010

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

AES 501 BLEEKER ST UTICA NY 13501  
ALLIED INTERSTATE 3000 CORPORATE EXCHANGE DRIVE 5TH FLOOR COLUMBUS OH 43231  
BARRETT DAFFIN FRAPPIER TURNER & ENGEL 15000 SURVEYOR BLVD STE 100 ADDISON TX 75001  
BARRETT DAFFIN FRAPPIER TURNER & ENGEL LLP 1900 ST JAMES PLACE SUITE 500 HOUSTON TX 77056  
BETHPAGE FED CR UNION C/O ACS UTICA NY 13501  
CITIFINANCIAL 4214 KELL BLVD STE 107 WICHITA FALLS TX 76309  
CITIFINANCIAL INC PO BOX 140489 IRVING TX 75014  
CITIFINANCIAL INC PO BOX 70923 CHARLOTTE NC 28272  
CITY OF WF, WFLSD, WICHITA COUNTY CO PERDUE BRANDON FIELDER COLLINS & MOTT PO BOX 8188 WICHITA FALLS TX 76307  
COLLECTION 700 LONGWATER DRIV NORWELL MA 02061  
CREDIT MANAGEMENT/TIME WARNER CABLE 4200 INTERNATIONAL PKWY CARROLLTON TX 75007  
DEPT OF ED PO BOX 9635 WILKES BARRE PA 18773  
EUGENIA PAZ ESCOBEDO 5431 FLO DR WICHITA FALLS TX 76302  
FAIR COLLECTIONS AND OUTSOURCING 12304 E BALTIMORE AVE BELTSVILLE MD 20705  
FIRST BANK 300 E 3RD ST BURKBURNETT TX 76354  
FIRST BANK 4110 KELL BLVD WICHITA FALLS TX 76309  
FIRST NATIONAL BANK OF WICHITA FALLS PO BOX 94905 WICHITA FALLS TX 76308  
FIRST NATIONAL BANK PO BOX 94905 WICHITA FALLS TX 76308  
GE MONEY BANK C/O RECOVERY MANAGEMENT SYSTEMS CORP 25 SE 2ND AVE STE 1120 MIAMI FL 33131  
INTERNAL REVENUE SERVICE PO BOX 21125 PHILADELPHIA PA 19114  
INTERNAL REVENUE SERVICE PO BOX 21126 PHILADELPHIA PA 19114  
JAMES W KING OFFERMAN & KING LLP 6420 WELLINGTON PLACE BEAUMONT TX 77706  
MONTE J WHITE ATTORNEY AT LAW 1106 BROOK AVE HAMILTON PLACE WICHITA FALLS TX 76301  
SALLIE MAE INC DEPARTMENT OF EDUCATION PO BOX 740351 ATLANTA GA 30374  
TG PO BOX 83100 ROUND ROCK TX 78683  
UNIQUE NATIONAL COLLECT 119 E MAPLE ST JEFFERSONVILLE IN 47130  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELLS FARGO BANK NA C/O LEGAL PRACTICE MANAGEMENT 15000 SURVEYOR BLVD STE 1720 ADDISON TX 75001  
WELLS FARGO BANK NA HOME EQUITY GROUP X2303-01A-01 HOME CAMPUS DES MOINES IA 50328  
WELLS FARGO BANK NA PO BOX 14469 MAC X2303-01A DES MOINES IA 50306  
WELLS FARGO BANK NV NA PO BOX 31557 BILLINGS MT 59107  
WELLS FARGO HM MORTGAGE 3476 STATEVIEW BLVD MAC 7801-014 FORT MILL SC 29715  
WELLS FARGO HOME MORTGAGE 1 HOME CAMPUS / MAC # X2302-04C BANKRUPTCY PAYMENT PROCESSING DES MOINES IA 50328  
WELLS FARGO OPERATION CENTER PO BOX 31557 MAC B695501B BILLINGS MT 59107  
WICHITA COUNTY PO BOX 1471 WICHITA FALLS TX 76307  
WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS TX 75242